REMARKS

Claims 1-18 are all the claims pending in the application.

Claims 17 and 18 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claims 1-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Vook et al. (US 5,583,866) in view of Balasuriya (US 6,411,815).

Applicant respectfully traverses the rejections with the following comments.

In the rejection of claims 17 and 18 under § 112, the Examiner states that there is no step (C) recited in claim 15, from which claim 17 depends. This is correct. However, claim 17 does not refer back to step (C) in claim 15. Rather, claim 17 itself recites step (C). Specifically, claim 17 recites "The communication method in claim 15, further comprising the step (C) of communicating with the at least one slave device according to the priority." (Emphasis added) Claim 18 further describes step (C). Since claim 17 recites step (C), rather than referring back to a step (C) in claim 15, Applicant submits that claims 17 and 18 are not indefinite.

Also, to correct any antecedent basis problem in the claim, claim 17 is amended to replace "the" with "a."

Turning to the prior art, Applicant has the following comments.

The present invention relates to a wireless communication apparatus for variably allocating the transmission rate to slave devices according to service features of the slave devices, a wireless communication system adopting the same and a communication method thereof.

Vook relates to a method for delivering broadcast packets in a frequency hopping spread spectrum radio communication system such as a local area network (LAN). The method for delivering data to more than one user device simultaneously includes the steps of providing an indicator associated with at least a portion of a dwell indicating that the transmission of user data is directed towards more than one user device, and informing the user devices of the repetition rate at which the indicator is transmitted. The user device schedules periods of time during which it is enabled and disabled respectively, based upon the repetition rate of the indicator received such that the user device is enabled and receives the data directed towards more than one user device.

Balasuriya relates to arbitrating service requests within communication systems. Balasuriya provides a hierarchical system for arbitrating service requests in which secondary arbitrators, which have incomplete information and authority evaluate service requests before forwarding them up the hierarchy to a primary arbitrator, which has complete information and arbitration authority. If a secondary arbitrator has sufficient information to deny a service request without forwarding the request, it will. Thus, the hierarchy of secondary arbitrators acts to filter service requests from the primary arbitrators.

Applicant submits that the combination of Vook and Balasuriya fails to teach or suggest all of the limitations of the claims. In particular, Vook fails to disclose the controller for determining a priority of the at least one slave device considering the requested priority, determining a frequency of communication according to the priority of the at least one slave device and controlling the communication with the at least one slave device, as recited in claim 1. The Examiner cites the access point 14 described in col. 14, line 60 - col. 15, line 4 and col.

15, line 66 - col. 16, line 36 of the reference as allegedly corresponding to the claimed controller. However, the priority of the devices in Vook is not determined by the access point 14 considering a requested priority of slave devices. Instead, as disclosed in the cited excerpts, the priority of the devices is determined by whether or not the device is currently transmitting.

Moreover, the Examiner concedes that Vook does not disclose receiving a requested priority from the at least one slave device, which is recited in claim 1. Thus, the Examiner's assertion that Vook discloses the controller for determining a priority of the at least one slave device considering the requested priority, determining a frequency of communication according to the priority of the at least one slave device and controlling the communication with the at least one slave device, as claimed in claim 1, conflicts with the Examiner's admission that Vook fails to disclose receiving a requested priority from the at least one slave device.

Additionally, Vook fails to teach or suggest the feature of determining a frequency of communication according to the priority of the at least one slave device, as recited in claim 1 as an aspect of the claimed controller. Here, the Examiner points to col. 7, line 34 - col. 8, line 30 and FIG. 3. However, the cited excerpt does not indicate that the frequency of communication is determined according to the priority of the slave device. Instead, Vook discloses that the device 12 will tune to the selected access point 14 at the channel frequency upon which a beacon in question was received. Such a disclosure, like the remainder of the cited excerpt, fails to describe the priority being used to determine the frequency of communication. Instead, Vook merely indicates that there is more than one frequency from which to select.

Furthermore, Balasuriya fails to make up for the deficiencies of Vook.

Therefore, claim 1 is allowable over the prior art for the above-described reasons.

Additionally, Applicant submits that claim 1 is allowable over the prior art, because there is no suggestion or motivation to combine the references. The Examiner asserts that it would have been obvious to combine the teachings of Vook and Balasuriya to achieve an efficient priority transmission service and enhancing communication reliability in a wireless communication system. Applicant submits that the alleged motivation to combine the references is merely a recitation of a desired property of a wireless communication system, which is disconnected from the particular teachings of the references. In other words, the Examiner has not provided a convincing rationale for the specific combination suggested. No explanation has been provided explaining why the suggested combination would have enhanced communication reliability or achieved an efficient priority transmission service.

Furthermore, the operation of Vook and the operation of Balasuriya significantly differ from each other. That is, Vook is not configured to use requested priority information from slave device, as compared to Balasuriya which provides a hierarchy of arbitrators for processing service requests. Hence, it seems rather unlikely that the modification suggested by the Examiner would have been obvious to one of ordinary skill in the art. Further, it appears questionable whether the modification would have been feasible.

Thus, claim 1 is allowable for this additional reason.

Claims 2-7 are allowable over the prior art, at least because of their dependence from claim 1.

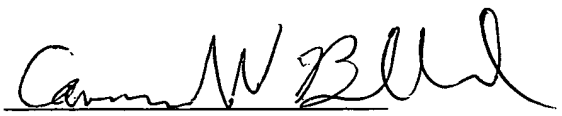
Claims 8-18 are allowable for reasons analogous to those for claim 1.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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